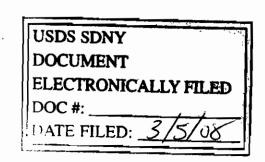
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March 5, 2008

Honorable P. Kevin Castel United States District Judge Daniel Patrick Moynihan United States Courthouse 500 Pearl St., Room 2260 New York, NY 10007



Re:

Electric Visual Evolution, LLC v. Electric Eel, Inc.

Filed 03/05/2008

07 Civ. 9321 (PKC) Our Ref. No. 112.201

Honorable Judge Castel:

We are counsel for Plaintiff Electric Visual Evolution, LLC ("Electric Visual") in the above-referenced action. Electric Visual submits this letter jointly with Defendant Electric Eel, Inc. ("Electric Eel") to update Your Honor with regard to settlement negotiations and to request an extension of the deadlines in the trial schedule in this action.

On January 28, 2008, the parties met and discussed several proposals relating to settlement. On February 28, 2008 the parties additionally participated in a settlement conference conducted before Magistrate Judge Ellis. The discussions during both conferences were productive and positive and, at the conclusion of the February 28, 2008 conference, Magistrate Judge Ellis instructed each party to submit ex parte a letter in support of the party's settlement position. We understand that Magistrate Judge Ellis plans to schedule a second settlement conference for the parties for late March or early April.

Several of the deadlines set forth in the December 7, 2007 Scheduling Order entered by Your Honor are imminent, including the March 6, 2008 deadline for the parties to meet and confer regarding expert discovery and to serve contention interrogatories and requests for admissions. In light of the parties' progress and continued desire to settle this matter, the parties jointly request that all pending deadlines in the current trial schedule be extended for a period of 60 days. Hopefully, the parties will be able to complete a settlement agreement during that time.

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Honorable P. Kevin Castel United States District Judge March 5, 2008 Page 2 of 2

If Your Honor requires any additional information or has any additional questions, please contact the undersigned.

Respectfully submitted,

David J. Borenz

cc: Hon. Ronald L. Ellis, U.S.M.J.

Charles P. LaPolla, Esq. (Via Facsimile)

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